



MISC 2010024300



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Received - DIANE L. BATTIATO  
 Register of Deeds, Douglas County, NE  
 3/22/2010 14:55:55.91  
  
 2010024300

### AMENDMENT TO DRIVEWAY EASEMENT AGREEMENT

THIS AMENDMENT TO DRIVEWAY EASEMENT AGREEMENT ("Amendment") is made this 12 day of March, 2010, by and between EAST CAMPUS REALTY, LLC, a Nebraska limited liability company ("Grantor"), and FIRST UNITARIAN CHURCH OF OMAHA, a Nebraska nonprofit corporation ("Grantee").

#### RECITALS

Grantor and Grantee entered into a Driveway Easement Agreement (the "Easement Agreement") dated June 13, 2007, and recorded as Instrument Number 2007070789 in the Miscellaneous Records in the office of the Register of Deeds of Douglas County, Nebraska, on June 22, 2007.

The Easement Agreement provides that it is to be amended to set forth the correct legal description of the Easement Area (as defined in the Easement Agreement) when and if a portion of a public alley shown on Exhibit A to the Easement Agreement is vacated and after Grantor has completed construction of a paved driveway and related improvements in the Easement Area. The portion of the public alley shown on Exhibit A to the Easement Area has been vacated, construction of the paved driveway and related improvements in the Easement Area has been completed, and Grantor and Grantee are now ready to amend the Easement Agreement to redefine the Easement Area to correspond to its proper as-built location.

#### AGREEMENT

Now, therefore, Grantor and Grantee hereby agree that the Easement Agreement shall be and hereby is amended by deleting Exhibit A to the Easement Agreement as recorded on June 22, 2007, and replacing it with Exhibit A attached to this Amendment. Hereafter, all references to the Easement Area in the Easement Agreement shall refer to the area identified as such on Exhibit A attached to this Amendment. As hereby amended, the Easement Agreement shall remain in full force and effect.

After recording, return to:  
 John S. Katelman  
 Husch Blackwell Sanders LLP  
 1620 Dodge St, Suite 2100  
 Omaha, NE 68102  
 OMA-298909-1

✓ 033700

IN WITNESS WHEREOF, Grantor and Grantee have executed this Amendment to Driveway Easement Agreement as of the day and year first above written.

GRANTOR:

EAST CAMPUS REALTY, LLC

By:

Kenneth R. Cook  
Kenneth R. Cook, President

GRANTEE:

FIRST UNITARIAN CHURCH OF OMAHA

By:

Donna L. Neff  
President

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me this 12 day of March, 2010, by Kenneth R. Cook, President of East Campus Realty, LLC, a Nebraska limited liability company, on behalf of the limited liability company.

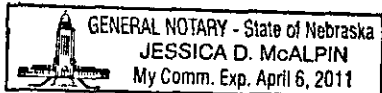
Robert C. Daisley  
Notary Public

My Commission expires: 9.3.10



STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me this 12 day of March, 2010, by Donna L. Neff, President of First Unitarian Church of Omaha, a Nebraska nonprofit corporation, on behalf of the corporation.



Jessica D. McAlpin  
Notary Public

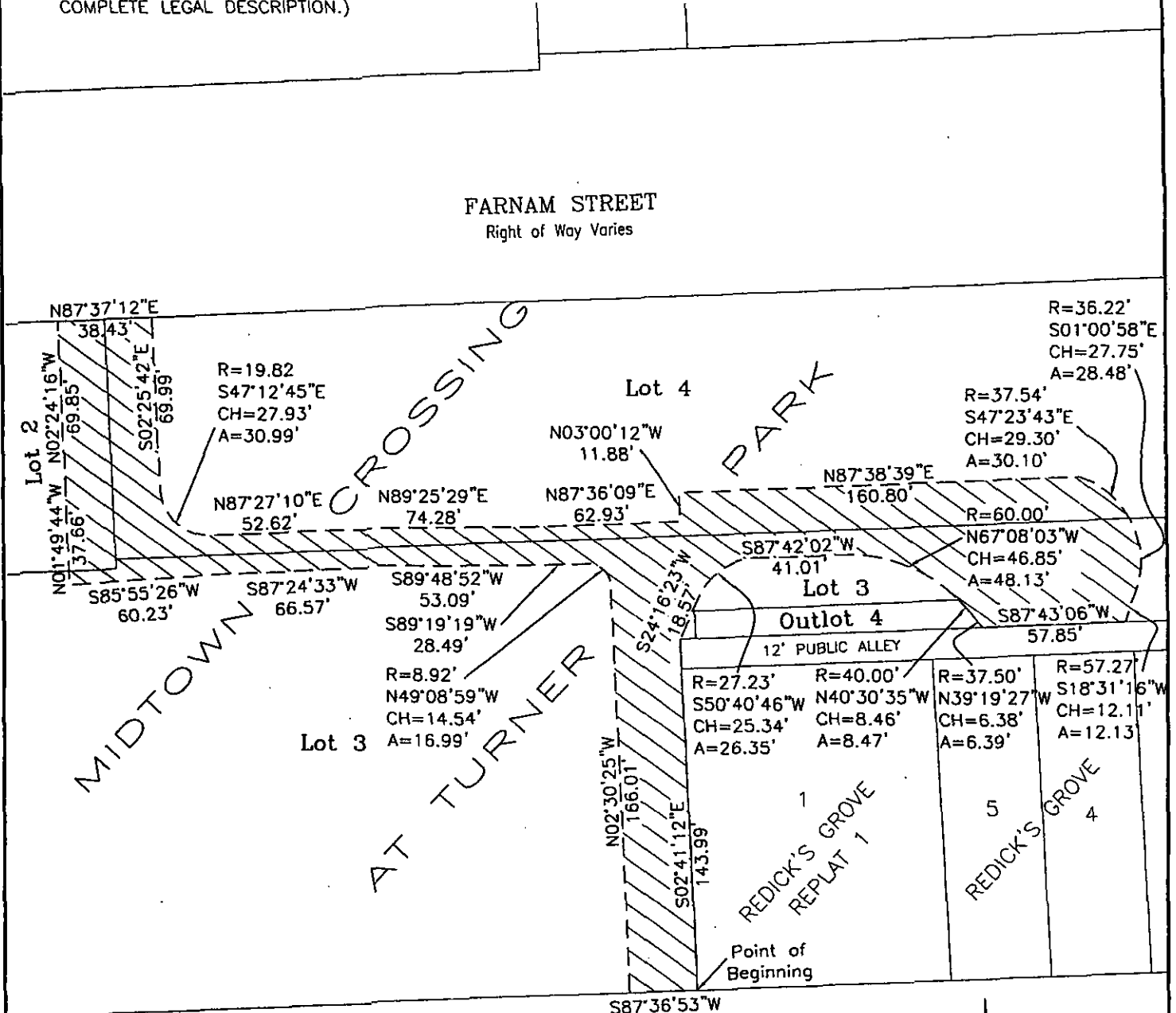
My Commission expires: April 6, 2011

**EXHIBIT A**

**EASEMENT EXHIBIT**

**LEGAL DESCRIPTION**

That part of Lots 2, 3, and 4 of MIDTOWN CROSSING AT TURNER PARK, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows: (SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)



**Lamp, Rynearson & Associates, Inc.**  
14710 West Dodge Road, Suite 100  
Omaha, Nebraska 68154-2027

WWW.LRA-INC.COM  
(Ph) 402.496.2498  
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drawn by: JLK  
designer: MRT  
job number-task: 03074.01-203  
date: 11-12-09  
book: page:  
file name: 03074E110.DWG

## EASEMENT AREA

### Legal Description

That part of Lots 2, 3, and 4 of MIDTOWN CROSSING AT TURNER PARK, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, described as follows:

Beginning at the southeast corner of said Lot 3;  
Thence South 87°36'53" West (bearing referenced to the Final Plat of MIDTOWN CROSSING AT TURNER PARK) for 27.34 feet along the south line of said Lot 3;  
Thence North 02°30'25" West for 166.01 feet;  
Thence along a curve to the left (having a radius of 8.92 feet and a long chord bearing North 49°08'59" West for 14.54 feet) for an arc length of 16.99 feet;  
Thence South 88°19'19" West for 28.49 feet;  
Thence South 89°48'52" West for 53.09 feet;  
Thence South 87°24'33" West for 66.57 feet;  
Thence South 85°55'26" West for 60.23 feet;  
Thence North 01°49'44" West for 37.66 feet;  
Thence North 02°24'16" West for 69.85 feet to the south right of way of Farnam Street and the north line of said Lot 2;  
Thence North 87°37'12" East for 38.43 feet along the south right of way line of Farnam Street;  
Thence South 02°25'42" East for 69.99 feet;  
Thence along a curve to the left (having a radius of 19.82 feet and a long chord bearing South 47°12'45" East for 27.93 feet) for an arc length of 30.99 feet;  
Thence North 87°27'10" East for 52.62 feet;  
Thence North 89°25'29" East for 74.28 feet;  
Thence North 87°36'09" East for 62.93 feet;  
Thence North 03°00'12" West for 11.88 feet;  
Thence North 87°38'39" East for 160.80 feet;  
Thence along a curve to the right (having a radius of 37.54 feet and a long chord bearing South 47°23'43" East for 29.30 feet) for an arc length of 30.10 feet;  
Thence along a curve to the right (having a radius of 36.22 feet and a long chord bearing South 01°00'58" East for 27.75 feet) for an arc length of 28.48 feet;  
Thence along a curve to the left (having a radius of 57.27 feet and a long chord bearing South 18°31'16" West for 12.11 feet) for an arc length of 12.13 feet to the north right of way line of a twelve foot (12.00') wide public alley;  
Thence South 87°43'06" West for 57.85 feet along said north right of way line to the southeast corner of Outlot 4 of MIDTOWN CROSSING AT TURNER PARK;  
Thence along a curve to the right (having a radius of 37.50 feet and a long chord bearing North 39°19'27" West for 6.38 feet) for an arc length of 6.39 feet along the east line of said Outlot 4;  
Thence along a curve to the left (having a radius of 40.00 feet and a long chord bearing North 40°30'35" West for 8.46 feet) for an arc length of 8.47 feet continuing along the east line of Outlot 4 to the northeast corner thereof;  
Thence along a curve to the left (having a radius of 60.00 feet and a long chord bearing North 67°08'03" West for 46.85 feet) for an arc length of 48.13 feet;

Thence South 87°42'02" West for 41.01 feet;  
Thence along a curve to the left (having a radius of 27.23 feet and a long chord bearing South 50°40'46" West for 25.34 feet) for an arc length of 26.35 feet;  
Thence South 24°16'23" West for 18.57 feet to the east line of said Lot 3 and the northwest corner of said twelve foot (12.00') wide public alley;  
Thence South 02°41'12" East for 143.99 feet to the Point of Beginning.  
Contains 20,016 square feet, or 0.460 acres.

November 13, 2009  
LAMP, RYNEARSON & ASSOCIATES, INC.  
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